

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

1 FEDERAL TRADE COMMISSION,)
2 Plaintiff,) Case No. 2:09-CV-01349-PMP-RJJ
3 v.)
4 GRANT CONNECT, LLC, et al.,)
5 Defendants.)
6 _____)
7

8 **AMENDED FINAL MONETARY JUDGMENT AS TO DEFENDANT KYLE KIMOTO**

9 On October 25, 2011, the Court entered a Permanent Injunction (Doc. # 346) and entered
10 Final Monetary Judgment (Doc. # 349) in amount of \$29,896,122.60 against the following
11 defendants, jointly and severally: Rachael A. Cook; James J. Gray; Steven R. Henriksen;
12 Michael L. Henriksen, Jr.; Tasha Jn Paul; Kyle R. Kimoto; Randy D. O'Connell; Grant Connect,
13 LLC; Horizon Holdings, LLC; O'Connell Gray, LLC; Consolidated Merchant Solutions, LLC;
14 OS Marketing Group, LLC; Acai, Inc.; AllClear Communications, Inc.; Dragon Group, Inc.;
15 Elite Benefits, Inc.; Global Fulfillment, Inc.; Global Gold, Inc.; Global Gold Limited; Healthy
16 Allure, Inc.; MSC Online, Inc.; Paid to Process, Inc.; Premier Plus Member, Inc.; Total Health,
17 Inc.; and Vcomm, Inc.

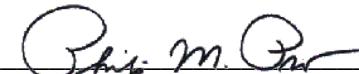
18 On August 15, 2014, the Court of Appeals for the Ninth Circuit issued its Opinion (Doc.
19 # 419) affirming in part, vacating in part, and remanding the Judgment of this Court as to
20 defendant Kyle R. Kimoto only. The Ninth Circuit instructed this Court to modify the
21 Permanent Injunction and the amount of restitution as to defendant Kimoto to delete references
22 to the Acai Total Burn scheme and exclude the relief ordered in relation to that scheme.

23

1 The restitution amount associated with the Acai Total Burn scheme, totalling \$8,333.48,
2 is therefore excluded from the equitable monetary relief against defendant Kimoto. Accordingly,
3 the amended judgment against defendant Kimoto includes \$29,776,437.07 in equitable monetary
4 relief and \$111,329.49 in pre-judgment interest, which together total \$29,887,766.53.

5 **IT IS HEREBY ORDERED AND ADJUDGED** that the Final Monetary Judgment
6 against defendant Kyle R. Kimoto only is hereby amended and a momentary judgment in the
7 amount of **\$29,887,766.53** is entered in favor of the FTC and against defendant Kyle R. Kimoto.

8 **IT IS SO ORDERED:**

9 
10 UNITED STATES DISTRICT JUDGE

11 DATED: November 10, 2014